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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicant: Diggle

Attorney Docket: 030441

Serial No: 10/786,733

Art Unit: 3723

Date Filed: February 25, 2004

Examiner: Watson

Title: "Round Fish Tape"

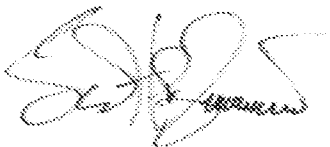
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**37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically and/or facsimile transmitted to the United States Patent and Trademark Office.

Scott P. Zimmerman

Name of Person Transmitting This Paper

A handwritten signature in black ink, appearing to read 'Scott P. Zimmerman', is written over a faint, dotted grid background.

December 5, 2008

Date of Transmission

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

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Commissioner for Patents

The Assignee respectfully resubmits the following amendment in response to the Notice of Non-Compliant Amendment mailed December 3, 2008. The Assignee respectfully submits that the pending claims distinguish over the cited documents.